



NYSAC
NEW YORK STATE
ASSOCIATION OF COUNTIES

540 Broadway, 5th Floor, Albany, New York 12207

Phone: (518) 465-1473

Fax: (518) 465-0506

www.nysac.org

President: Hon. Thomas J. Santulli, Chemung County

Executive Director: Stephen J. Acquario, Esq.

December 21, 2009

The Honorable Julius Genachowski
Chairman Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: New York State Association of Counties' (NYSAC) support for New York State's Waiver application and the NTIA's recently released policy on Public Safety Broadband network deployments

Dear Chairman Genachowski:

NYSAC and the State of New York (NYS) have partnered to develop a groundbreaking proposal that would make a reality the long-overdue first step to ensuring interoperable broadband communications for public safety officials in NYS. Unprecedented statewide coordination has produced a proposal that will benefit from efficiencies that save money and time to deployment: one procurement process for build-out vs. 36 different procurement efforts in all counties; one multi-jurisdiction spectrum license vs. 36 different spectrum license requests; and the ability to ensure extension of networks to less commercially-desirable areas of the state. In addition, the proposal ensures interoperability as technical, governance, and operational coordination will be established during the program design phase and implemented throughout the participating counties in a manner consistent with National Public Safety Telecommunications Council (NPSTC) recommendations.

Flexibility in deployment options has also been established in the NYSAC program. The program takes into account that some counties will have advanced and best-practice infrastructures which should be leveraged for public safety last-mile deployments, while other counties will need to partner with commercial vendors to build their networks. The NYSAC application meets the intent of the ARRA statute for improved broadband communications for public safety and serves an underserved sector of the public – public safety professionals – and does so in a way that is consistent with the Administration's newly stated policy while saving money, creating jobs, and establishing unprecedented coordination at the state and local levels.

We are enthused by the recent communication received from Assistant Secretary Strickland of the NTIA, re: National Broadband Plan, GN Doc. No. 09-51, NBP Public Notice #8. In it Mr. Strickland states that the National Broadband plan being developed by the FCC "should note the need for flexible and modular funding models that satisfy public safety broadband needs for interoperable, mobile wireless services, yet avoid a "one-size-fits-all" approach. Numerous existing models to consider include state-wide systems, fee-for-service systems, and systems-of-systems approaches. The Plan should identify responsibilities for managing the various phases of the build out, including regulatory and contracting oversight". As stated above, the NYS proposal is a 36 county, systems of systems plan and is therefore consistent with the NTIA/Obama administration policy.

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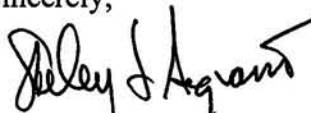


We are equally enthused to learn that NTIA and NTIS have agreed to develop a demonstration network for Public Safety 700 MHz broadband use and agree with Dereck Orr, PSCR program Manager who said, "This is an excellent opportunity for NIST and the PSCR to leverage our skills and assets to ensure the successful adoption and deployment of a new, nationwide communications system for public safety... The demonstration of these new technologies, implementations and services is a critical step in successfully deploying the next generation of mission-critical systems." (<http://www.newswise.com/articles/demonstration-network-planned-for-public-safety-700-mhz-broadband>). We hope to work closely and possibly partner with NTIA and NTIS and share insights on network deployments and uses. However, our plans include first responder operational use as we must immediately improve New York State's public safety communication systems to better protect our citizens, businesses and property from domestic and international threats.

We appreciate the Commission's efforts to address PS broadband communications and your ongoing National Broadband plan development. Our proposal leverages national best practices and technologies; while offering choice and coordination which appear to be corner stone issues in the FCC's plan. As you know, a critical component of our plan is NYS' Public Safety broadband waiver application. Your expedited approval of NYS' waiver application is supported and encouraged by all major PS associations and many members of Congress including the House of Representatives Home Security Committee. Finally, as you may know, the Association of Public Safety Communications Officials (APCO) along with several other National Public Safety organizations recently met in New York to discuss Public Safety's broadband communications needs. The approval of the pending waivers was listed as one of their top priorities. (http://www.apcointl.org/new/news/third_meeting_broadband_network.php)

As stated above, the New York State plan is the most advanced and coordinated system of systems proposal in the country. We urge you to approve our request for access to the 700 MHz Public Safety broadband spectrum which will allow us to begin the process of providing secure, reliable broadband communications to New York State's first responders.

Sincerely,



Stephen J. Acquario
Executive Director
New York State Association of Counties

CC:

The Honorable Meredith Baker
The Honorable Mignon L. Clyburn
The Honorable Michael J. Copps
The Honorable Robert McDowell
Marlene II. Dortch, Secretary